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NAZI WAR CRIMES DISCLOSURE ACT
2000

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NAZI WAR CRIMES DISCLOSURE ACT
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E.O.: 12356 N/A

TEXT

TAGS: PINR, CJAN, BR (MENGELE, JOSEF)
SUBJECT: MENGELE PROTECTOR GOES ON TRIAL

DEPT PLEASE PASS TO JUSTICE FOR OSI

1. NEARLY TWO YEARS AFTER THE REMAINS OF NAZI JOZEE MENGELE WERE FOUND IN A CEMETERY NEAR SAO PAULO, BRAZIL'S 12TH FEDERAL DISTRICT COURT BEGAN ON APRIL 9 THE TRIAL OF LISELOTTE BOSSERT, AN AUSTRIAN CITIZEN WHO HAD PROTECTED MENGELE DURING PART OF HIS STAY IN BRAZIL AND WHO ARRANGED FOR HIS BURIAL AS WOLFGANG GERHARD AFTER HIS DROWNING IN 1979. MRS. BOSSERT, 60, IS CHARGED WITH THE CRIME OF "FALSE IDEOLOGY," FOR PROVIDING INFORMATION THAT RESULTED IN THE PREPARATION OF A FRAUDULENT DEATH CERTIFICATE. THE CRIME CARRIES A POSSIBLE PENALTY OF ONE TO FIVE YEARS IMPRISONMENT PLUS A FINE. THE POLICE INVESTIGATION OF BOSSERT'S ACTIVITIES ALSO FOUND EVIDENCE THAT BOTH SHE AND HER HUSBAND WOLFRAM HAD COMMITTED THE CRIME OF HARBORING AN ILLEGAL ALIEN. HOWEVER, THE

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STATUTE OF LIMITATIONS ON THAT CHARGE HAS EXPIRED.

2. MRS. BOSSERT WAS THE ONLY PERSON TO TESTIFY ON THE TRIAL'S OPENING DAY. IN HER STATEMENT TO THE COURT, BOSSERT ADMITTED THAT MENGELE, THEN USING THE NAME PETER HOCHBICHLER, TOLD HER OF HIS TRUE IDENTITY IN "1971 OR 1972." JUSTIFYING THE INFORMATION SHE PROVIDED TO DOCTORS AT THE TIME OF THE DROWNING, WHICH LED TO MENGELE'S BURIAL AS GERHARD, BOSSERT SAID THAT HER JUDGEMENT HAD BEEN CLOUDED BY THE TRAUMA OF THE DEATH AND THE NEAR DROWNING OF HER HUSBAND, WHO HAD ATTEMPTED TO SAVE MENGELE.

3. NEVERTHELESS, BOSSERT ALSO CLAIMED THAT, BECAUSE OF RECENT PRESS REPORTS THAT MENGELE REMAINS ALIVE, SHE IS NO LONGER CERTAIN THAT THE MAN SHE PROTECTED WAS, INDEED, THE NAZI CRIMINAL. IN DISCUSSING THE CASE WITH POLOFF, BOTH BRAZILIAN FEDERAL POLICE DIRECTOR ROMEU TUMA AND HIS SAO PAULO OFFICE CHIEF MARCO ANTONIO VERONEZZI SAID THIS CLAIM WAS A DEFENSE TACTIC BY BOSSERT'S ATTORNEY, FLAVIO AUGUSTO MARX, WHO HAD ALSO SERVED AS ATTORNEY FOR FRANZ WAGNER, THE GERMAN CITIZEN WHOSE EXTRADITION FOR ALLEGED WAR CRIMES WAS REQUESTED IN 1982. TUMA TERMED MARX A "WELL KNOWN AND LITTLE RESPECTED" LAWYER, AND DESCRIBED HIS ATTEMPT TO CAST DOUBTS ON MENGELE'S IDENTITY AS A PUBLICITY PLOY. HE ADDED THAT MARX WAS NOT CHARGING A FEE FOR BOSSERT'S DEFENSE, BUT EXPECTED TO ENHANCE HIS LAW PRACTICE THANKS TO THE ATTENTION WHICH THIS CASE WOULD DRAW.

4. VERONEZZI NOTED THAT IT WAS MARX WHO HAD CALLED THE PRESS TO THE TRIAL OPENING AND WHO EMPHASIZED TO THEM BOSSERT'S CURRENT "DOUBTS," THE ASPECT OF HER TESTIMONY WHICH WAS, INDEED, MOST WIDELY REPORTED. THE POLICE CHIEF ADDED THAT THE JUDGE HEARING THE CASE HAD FELT COMPELLED TO CALL HIM AFTER THE PRESS REPORTS APPEARED TO ASSURE HIM THAT THE CLAIM TO UNCERTAINTY WAS ONLY ONE MINOR PART OF BOSSERT'S LENGTHY TESTIMONY. KNOWING MARX, VERONEZZI WARNED THAT WE COULD EXPECT MORE OF THE SAME DURING THE COURSE OF THE TRIAL. IN HIS OWN VIEW, VERONEZZI SAID HE DOUBTED THE TACTIC WOULD WORK: THE PREPONDERANC OF EVIDENCE THAT BOSSERT WAS AWARE OF MENGELE'S IDENTITY IS SIMPLY TOO GREAT.

5. ON THE OTHER HAND, THE POLICE CHIEF OPINED THAT THE COURT MIGHT BE SOMEWHAT SYMPATHETIC TO BOSSERT' CLAIMS THAT EMOTIONAL DISTRESS CAUSED HER TO LIE ABOUT MENGELE'S IDENTITY AT THE TIME OF HIS DEATH. DURING THE POLICE INVESTIGATION OF THE CASE, BOSSERT SAID THAT WHEN MENGELE DROWNED SHE FELT "RELIEF" THAT THE BURDEN OF HIDING HIM HAD FINALLY BEEN LIFTED AND DECIDED THAT EVEN IF SHE WERE TO REVEAL THE TRUTH, NO ONE WOULD BELIEVE HER. BY LYING, SHE FELT SHE COULD END THE EMOTIONAL DISTRESS HER INVOLVEMENT WITH MENGELE HAD CAUSED HER AND GET ON WITH HER LIFE. IN VERONEZZI'S OPINION, BOSSERT MIGHT SO EFFECTIVELY PLEAD EMOTIONAL ANGUISH (EVEN IF IT WAS OF HER OWN MAKING) THAT THE COURT COULD, FOR EXAMPLE, FIND HER GUILTY, BUT IMPOSE ONLY A FINE RATHER THAN A PRISON

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6. AT ANY RATE, BOSSERT'S TRIAL IS EXPECTED TO CONTINUE FOR SOME TIME. IN ACCORDANCE WITH NORMAL BRAZILIAN PRACTICE, THE JUDGE HEARING THE BOSSERT CASE MUST HANDLE THIS PROCESS SIMULTANEOUSLY WITH SEVERAL OTHERS. (NOTE: UNDER BRAZILIAN LAW THIS OFFENSE DOES NOT WARRANT A JURY TRIAL.) UNLIKE IN THE U.S., WHERE ALL PERSONS WITH RELEVANT INFORMATION WOULD BE CALLED TO TESTIFY AT THE SAME TIME, HERE THE JUDGE WILL TAKE SEVERAL MONTHS TO

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RECEIVE OTHER TESTIMONY -- INCLUDING FROM THE DOCTOR WHO PREPARED THE DEATH CERTIFICATE, PEOPLE PRESENT AT THE DROWNING, AND OTHERS, INCLUDING THE STAMMERS, WHO HAD CONTACT WITH MENGELE DURING HIS STAY IN BRAZIL. THUS, THE TRIAL WILL APPARENTLY MOVE JUST AS SLOWLY AS THE POLICE INVESTIGATION RESULTING IN THE CHARGES AGAINST BOSSERT, WHICH ITSELF TOOK FROM JUNE 1985 UNTIL SEPTEMBER 1986. (NOTE: ALTHOUGH THE POLICE PRESENTED THEIR CASE SIX MONTHS AGO, IT WASN'T UNTIL LAST WEEK THAT A VACANCY APPEARED ON THE COURT DOCKET.) BOSSERT WAS INFORMED BY THE JUDGE THAT SHE COULD EXPECT TO BE CALLED BEFORE THE COURT AGAIN ONLY IN MAY, 1988.

7. COMMENT: AFTER THE IDENTIFICATION OF MENGELE IN JUNE OF 1985, THE BRAZILIAN FEDERAL POLICE BEGAN A GENERAL INVESTIGATION OF PRO-NAZI ACTIVITIES IN SAO PAULO. ALTHOUGH NO ADDITIONAL EVIDENCE OF SUCH ACTIVITIES HAS BEEN UNCOVERED, THE TRIAL OF LISELOTTE BOSSERT IS ONE SIGN THAT BRAZILIAN JUSTICE HAS NOT YET CLOSED THE BOOK ON MENGELE. AS FOR BOSSERT'S ALLEGED CLAIM THAT SHE IS NO LONGER CERTAIN THE MAN SHE HARBORED WAS MENGELE, ANYONE FAMILIAR WITH THE CASE KNOWS BETTER: AS PART OF HER ASSISTANCE TO MENGELE, BOSSERT FACILITATED VISITS BY HIS SON AND ARRANGED THE CHANGE OF HIS COVER I.D. FROM HOCHBICHLER TO GERHARD. THERE IS NO DOUBT THAT BOSSERT KNEW WHOM SHE WAS SHELTERING, AND, IN THE WORDS OF ROMEU TUMA, "WE ALL KNOW IT WAS MENGELE WHO WAS BURIED IN THE EMBU CEMETERY." DACHI

ADMIN
END OF MESSAGE

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